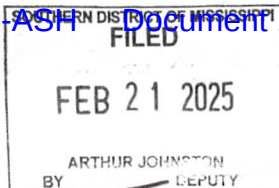


CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI

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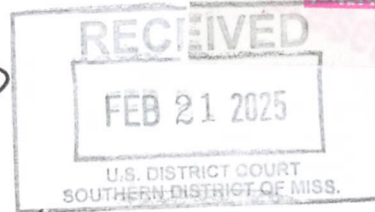
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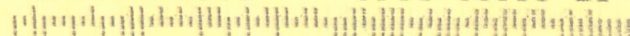
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BC: 39201502299

*0566-00535-12-00

3950304615 RO



Daniel Opdyke
455-529
Harrison County Detention Center
10451 Larkin Smith Drive
Gulfport, MS 39503
228-896-3000

Orders on Motions

3:23-cv-00374-DPJ-ASH Jenkins
et al v. Rankin County,
Mississippi et al

ASH,JURY,TRIAL_SET

U.S. District Court

Southern District of Mississippi

Notice of Electronic Filing

The following transaction was entered on 2/11/2025 at 11:43 AM CST and filed on 2/11/2025

Case Name: Jenkins et al v. Rankin County, Mississippi et al

Case Number: 3:23-cv-00374-DPJ-ASH

Filer:

Document Number: 110

Docket Text:

ORDER granting [107] Unopposed Motion to Take Deposition from Jeffery Middleton. Signed by Magistrate Judge Andrew S. Harris on February 11, 2025. (TA)

3:23-cv-00374-DPJ-ASH Notice has been electronically mailed to:

Clarence M. Leland , Jr cleland@bellsouth.net, ktbethj@bellsouth.net

Gregory Todd Butler todd.butler@phelps.com, buffy.mcgowan@phelps.com, debra.hardwick@phelps.com, kaye.reeves@phelps.com, tamonica.brown@phelps.com

Jason E Dare jdare@bislawyers.com, kaldridge@bislawyers.com

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Mallory K. Bland mallory.bland@phelps.com, buffy.mcgowan@phelps.com, debra.hardwick@phelps.com, kaye.reeves@phelps.com, natalie.barfield@phelps.com, tamonica.brown@phelps.com

Trent L. Walker Trent@Trentwalkeresq.com

3:23-cv-00374-DPJ-ASH Notice has been delivered by other means to:

Daniel Opdyke
455-529
Harrison County Detention Center
10451 Larkin Smith Drive
Gulfport, MS 39503

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

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aada1a0baf7ba589dccda9179a3d67fad215ab369cb0ce9cf218a3114561b]]

Orders on Motions

3:23-cv-00374-DPJ-ASH Jenkins
et al v. Rankin County,
Mississippi et al

ASH,JURY,TRIAL_SET

U.S. District Court

Southern District of Mississippi

Notice of Electronic Filing

The following transaction was entered on 2/11/2025 at 11:23 AM CST and filed on 2/11/2025

Case Name: Jenkins et al v. Rankin County, Mississippi et al

Case Number: 3:23-cv-00374-DPJ-ASH

Filer:

Document Number: 109

Docket Text:

ORDER granting [103] Unopposed Motion to Take Deposition from Brett McAlpin. Signed by Magistrate Judge Andrew S. Harris on February 11, 2025. (TA)

3:23-cv-00374-DPJ-ASH Notice has been electronically mailed to:

Clarence M. Leland , Jr cleland@bellsouth.net, ktbethj@bellsouth.net

Gregory Todd Butler todd.butler@phelps.com, buffy.mcgowan@phelps.com, debra.hardwick@phelps.com, kaye.reeves@phelps.com, tamonica.brown@phelps.com

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Trent L. Walker Trent@Trentwalker.esq.com

3:23-cv-00374-DPJ-ASH Notice has been delivered by other means to:

Daniel Opdyke
455-529

Harrison County Detention Center
10451 Larkin Smith Drive
Gulfport, MS 39503

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

MICHAEL COREY JENKINS and
EDDIE TERRELL PARKER

PLAINTIFFS

V.

CIVIL ACTION NO. 3:23-CV-374-DPJ-ASH

RANKIN COUNTY, MISSISSIPPI, ET AL.

DEFENDANTS

ORDER

This matter is before the Court on Plaintiffs Michael Corey Jenkins and Eddie Terrell Parker's Motion for Leave to Depose Jeffery Middleton [107] under Federal Rule of Civil Procedure 30(a)(2)(B). The motion is unopposed.

Federal Rule of Civil Procedure 30(a)(2)(B) states that "[a] party must obtain leave of court, and the court must grant leave to the extent consistent with Rule 26(b)(1) and (2) . . . if the deponent is confined in prison." Fed. R. Civ. P. 30(a)(2)(B). Jeffery Middleton, an individual identified by Plaintiffs as relevant to Defendant Sheriff Bryan Bailey's qualified immunity defense, is currently incarcerated at the Federal Correctional Institution (FCI) Manchester in Manchester, Kentucky.¹ The request to depose Middleton does not exceed the scope or limitations on discovery contemplated in Federal Rule of Civil Procedure 26(b)(1) and (2). The Court therefore finds that Plaintiffs' motion should be granted.

Accordingly, the deposition shall proceed on terms agreeable to the correctional facility. Plaintiffs shall serve a copy of this Order on the Bureau of Prisons. This order does not relieve

¹ Although Plaintiffs state only that "Middleton [] is incarcerated at 805 Fox Hollow Road, Manchester, KY 40962," *see* Mot. [107] ¶ 1, the BOP's website lists this as the address for FCI Manchester.

Plaintiffs of the obligation to properly notice the date, time, and method of recording the deposition as required by Federal Rule of Civil Procedure 30.

SO ORDERED AND ADJUDGED this the 11th day of February, 2025.

s/ Andrew S. Harris

UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

MICHAEL COREY JENKINS and
EDDIE TERRELL PARKER

PLAINTIFFS

V.

CIVIL ACTION NO. 3:23-CV-374-DPJ-ASH

RANKIN COUNTY, MISSISSIPPI, ET AL.

DEFENDANTS

ORDER

This matter is before the Court on Plaintiffs Michael Corey Jenkins and Eddie Terrell Parker's Motion for Leave to Depose Brett McAlpin [103] under Federal Rule of Civil Procedure 30(a)(2)(B). The motion is unopposed.

Federal Rule of Civil Procedure 30(a)(2)(B) states that "[a] party must obtain leave of court, and the court must grant leave to the extent consistent with Rule 26(b)(1) and (2) . . . if the deponent is confined in prison." Fed. R. Civ. P. 30(a)(2)(B). Brett McAlpin, an individual identified by Plaintiffs as relevant to Defendant Sheriff Bryan Bailey's qualified immunity defense, is currently incarcerated at the Federal Correctional Institution (FCI) McDowell in Welch, West Virginia. Mot. [103] ¶ 1. The request to depose McAlpin does not exceed the scope or limitations on discovery contemplated in Federal Rule of Civil Procedure 26(b)(1) and (2). The Court therefore finds that Plaintiffs' motion should be granted.

Accordingly, the deposition shall proceed on terms agreeable to the correctional facility. Plaintiffs shall serve a copy of this Order on the Bureau of Prisons. This order does not relieve Plaintiffs of the obligation to properly notice the date, time, and method of recording the deposition as required by Federal Rule of Civil Procedure 30.

SO ORDERED AND ADJUDGED this the 11th day of February, 2025.

s/ Andrew S. Harris

UNITED STATES MAGISTRATE JUDGE